

I hereby Certify that this Correspondence is being  
deposited with the United States Postal Service as  
First Class Mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington,  
D.C. 20231, on May 29, 2001

Martin G. Linihan Name  
Martin G. Linihan Signature  
May 29, 2001 Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Henry Guy Stevens

Serial No.: 09/763,678

Filed: February 26, 2001

For: PVA-Containing Compositions

RESPONSE

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements  
Under 35 USC 371 mailed March 29, 2001 herewith are the executed  
Declaration together with payment of the surcharge.

Respectfully submitted,

06/06/2001 MNGUYEN 00000149 09763678

01 FC:254

65.00 OP

Hodgson Russ, ANDREWS,  
WOODS & GOODYEAR LLP

By Martin G. Linihan  
Martin G. Linihan  
Reg. No. 24,926

2000 One M & T Plaza  
Buffalo, New York 14203  
Tel: 716-856-4000  
May 29, 2001  
BFLDOCS:545963\_1 (BP9N01)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

5/29/01

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/763678	STEVENS	H 18872.0102 ✓
INTERNATIONAL APPLICATION NO.		
PCT/GB99/02822		
I.A. FILING DATE	PRIORITY DATE	
26 AUG 99	26 AUG 98	

✓  
MARTIN G LINIHAN  
ONE M&T PLAZA  
SUITE 2000  
BUFFALO, NY 14203 2391RECEIVED  
APR 02 2001

DATE MAILED: 29 MAR 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- |  |   |
|--|---|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input checked="" type="checkbox"/> Indication of Small Entity Status.              |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.         |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:   |
| <input checked="" type="checkbox"/> Priority Document.   |   |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |   |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |   |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- |   |   |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- |  |
|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.   |
| <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.   |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. |
| <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.   |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).  |
4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

Winston M Alvarado

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-6421

**FEE TRANSMITTAL**  
**for FY 2001**

Patent Fees are subject to annual revision.

Application Number	09/763,678
Filing Date	February 26, 2001
First Named Inventor	Henry Guy Stevens
Examiner Name	
Group/Art Unit	

TOTAL AMOUNT OF PAYMENT (\$65.00)

Attorney Docket Number 18872.0102

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

## 3. ADDITIONAL FEES

 Deposit Account Number: 08-2442  
 Deposit Account Name:  
 Hodgson Russ LLP

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
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☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

105	130	205	65	Surcharge - late filing fee or oath	\$65
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☒ Applicant claims small entity status. See 37 CFR 1.27.

127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
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2. ☒ Payment Enclosed:☒ Check ☐ Credit Card ☐ Money Order ☐ Other

139	130	139	130	Non-English specification	\$
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## FEE CALCULATION

147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	\$
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1. BASIC FILING FEE  
Large Entity Small Entity

112	920*	112	920*	Requesting Publication of SIR prior to Examiner Action	\$
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Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
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113	1,840*	113	1,840*	Requesting Publication of SIR after Examiner Action	\$
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101 710 201 355 Utility filing fee \$

115	110	215	55	Extension for reply within first month	\$
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106 320 206 160 Design filing fee \$

116	390	216	195	Extension for reply within second month	\$
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107 490 207 245 Plant filing fee \$

117	890	217	445	Extension for reply within third month	\$
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108 710 208 355 Reissue filing fee \$

118	1,390	218	695	Extension for reply within fourth month	\$
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114 150 214 75 Provisional filing fee \$

128	1,890	228	945	Extension for reply within fifth month	\$
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SUBTOTAL (1) \$0

119	310	219	155	Notice of Appeal	\$
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2. EXTRA CLAIM FEES  
Extra Fee from Claims below

120	310	220	155	Filing a brief in support of an appeal	\$
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Total Claims / / -20\*\* = / / x / / = \$

121	270	221	135	Request for oral hearing	\$
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Independent Claims / / - 3\*\* = / / x / / = \$

138	1,510	138	1,510	Petition to institute a public use proceeding	\$
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Multiple dependent / / x / / = \$

140	110	240	55	Petition to revive - unavoidable	\$
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Large Entity Small Entity

141	1,240	241	620	Petition to revive - unintentional	\$
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Fee Code (\$)	Fee Code (\$)	Fee Description
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142	1,240	242	620	10 advance copies Utility issue fee (or reissue)	\$
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103 18 203 9 Claims in excess of 20 \$

143	440	243	220	Design issue fee	\$
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102 80 202 40 Independent claims in excess of 3 \$

144	600	244	300	Plant issue fee	\$
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104 270 204 135 Multiple dependent claim if not paid \$

122	130	122	130	Petitions to the Commissioner	\$
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109 80 209 40 \*\*Reissue independent claims over original patent \$

123	50	123	50	Processing fee under 37 CFR 1.17(q)	\$
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110 18 210 9 \*\*Reissue claims in excess of 20 and over original patent \$

126	180	126	180	Submission of Information Disclosure Statement	\$
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SUBTOTAL (2) \$0

581	40	581	40	Recording each patent assignment per property (times number of properties)	\$
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SIGNATURE: *Martin G. Linihan*

146	710	246	355	Filing a submission after final rejection(37 CFR 1.129(a))	\$
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Martin G. Linihan Reg. No. 24,926

149	710	249	355	For each add'l invention to be examined(37 CFR 1.129(b))	\$
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DATE: May 29, 2001 /Telephone: (716) 848-1367

179	710	279	355	Request For Continued Examination (RCE)	\$
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169	900	169	900	Request for Expedited Examination of a design appln.	\$
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\*Reduced by basic filing fee paid

SUBTOTAL (3) \$65

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on May 29, 2001

Name Martin G. Linihan

Signature *Martin G. Linihan*

Date of Signature May 29, 2001